

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DAVID DYKEHOUSE, KRISTINA
BOSKOVICH, and ELIZABETH
HAMBLIN, on behalf of themselves
and all others similarly situated,

Plaintiff,
vs.

THE 3M COMPANY, a Delaware
Corporation, GEORGIA-PACIFIC LLC, a
Delaware Corporation,

Defendants.

Case No. 1:18-CV-01225-RJJ-PJG

Hon. Janet T. Neff

**DEFENDANT GEORGIA-
PACIFIC LLC'S NOTICE OF
NONPARTIES AT FAULT**

Defendant Georgia-Pacific LLC (“Georgia-Pacific”) submits this Notice of Nonparties at Fault pursuant to Michigan Court Rule 2.112(K), which provides a mechanism for notice regarding nonparties believed to be at fault for Plaintiffs’ alleged damages. Notices pursuant to MCR 2.112(K) are proper in federal court. *See e.g., Greenwich Insurance Co. v. Hogan*, 351 F. Supp. 2d 736, 739-40 (W.D. Mich. 2004) (MCR 2.112(K) is an integral part of Michigan statutory scheme of “fair share liability” and is therefore applicable in federal court actions).

Georgia-Pacific hereby gives notice pursuant to MCR 2.112(K) that the following parties are wholly or partially at fault for the damage alleged by Plaintiffs in their Complaint in this action:

1. **Hydro Aluminum North America (a/k/a SAPA, Wells Aluminum Corp.).** This company has conducted manufacturing operations for decades in an area upgradient of the City of Parchment water supply wells. It had a history of discharges and releases during decades of operation at that location including the disposal of waste water directly into unlined, onsite lagoons. Sludge from the lagoons was disposed onsite.

Hydro Aluminum North America
5575 N. Riverview Drive
Kalamazoo, MI 49004

2. **Hercules Incorporated.** Hercules produced pulp and paper chemicals used in finished paper for decades at a location in Parchment that may have contributed to PFAS contamination in the Parchment municipal supply wells.

Hercules Incorporated
411 Hercules Avenue
Parchment, MI 49004

3. **Absolutaire, Inc (f/k/a Duo-Aire, Inc.).** Absolutaire has engaged in manufacturing operations since approximately 1976. Among other things, it engaged in painting operations and has a history of disposal of materials in the adjacent gravel pit, and conducted open burning in the gravel pit.

Absolutaire, Inc.
5496 North Riverview Drive
Kalamazoo, MI 49004

4. **Oakes Carton Company.** Oakes Carton has been operating a manufacturing paper packaging facility in the coated paper related industry for decades. It has a history of releases at the Kalamazoo facility.

Oakes Carton Company
5575 Collingwood
Kalamazoo, MI 49004

5. **Spray & Shine Auto Wash.** Spray & Shine is an auto wash facility that has a history of releases to the ground. Materials used at car washes have been determined to be PFAS sources. The Spray & Shine Auto Wash site is located near where elevated concentrations of PFAS have been detected in groundwater.

Spray & Shine Auto Wash
2441 Brackett Ave.
Kalamazoo, MI 49004

6. **Crown Vantage Corporation.** Crown Vantage was the last owner and operator of the Parchment landfill during the last several years of the operation of the landfill. It owned and operated the landfill from 1995 until approximately 2000.

Crown Vantage Corporation
100 Island Avenue and/or 400 Island Avenue
Parchment, MI 49004

7. **Michigan Department of Environmental Quality.** The MDEQ was obligated pursuant to a consent order to conduct maintenance and long-term monitoring of the landfill. The MDEQ failed to repair and operate a vandalized lift station needed for leachate collection.

Michigan Department of Environmental Quality
525 W. Allegan Street
P.O. Box 30473
Lansing, MI 48909-7973

8. **Cooper Charter Township.** For a period of years, Cooper Township has owned the former landfill and failed to mitigate the continued leaching and migration of contamination from the landfill.

Cooper Charter Township
1590 West D Ave. |
Kalamazoo, MI 49009-6321

9. **River Reach Partners, LLC.** For a number of years, River Reach Partners, LLC has owned the former Parchment paper mill, and has failed to mitigate the continued leaching and migration of contaminants from the former paper mill site.

River Reach Partners, LLC
1821 Blake St., Suite 3 C
Denver, CO 80202

Dated: April 19, 2019

/s/ Dean F. Pacific

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